

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KELVIN L. THOMAS,

Petitioner,

vs.

STATE OF NEBRASKA, SCOTT
FRAKES, Director, Nebraska
Correctional Services; and MICHELL
CAPPS, Warden, Nebraska State
Penitentiary;

Respondents.

8:18CV531

**MEMORANDUM
AND ORDER**

This matter is before the court on Petitioner's Objection to Respondents' Motion for an Extension of Time. ([Filing No. 9](#).) On February 14, 2019, the court granted Respondents' request for an extension of time ([filing no. 7](#)) to submit a response to Petitioner's Motion for Stay and Abeyance ([filing no. 6](#)) in conjunction with their motion for summary judgment. Respondents have now filed their motion for summary judgment with supporting brief and state court records (filing nos. [10-12](#)) in accordance with the court's January 10, 2019 progression order ([filing no. 4](#)). Accordingly,

IT IS ORDERED that:

1. Petitioner's Objection to Respondents' Motion for Extension of Time ([filing no. 9](#)) is denied.
2. Petitioner has until **March 28, 2019** to file and serve a brief in opposition to Respondents' motion for summary judgment.

Dated this 26th day of February, 2019.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge